

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Philip KLIPSTEIN  
Serial No. : 10/561,729  
Filed : February 12, 2007  
Title : DEPLETION-LESS PHOTODIODE WITH SUPPRESSED  
DARK CURRENT AND METHOD FOR PRODUCING THE  
SAME  
Art Unit : 2811  
Confirmation No. : 8239

745 Fifth Avenue  
New York, NY 10151

**CERTIFICATE OF ELECTRONIC FILING**

Date of Transmission: January 26, 2009

I hereby certify that this correspondence is being transmitted  
via Electronic Filing Services on the date indicated above.

Valerie Gray

(Typed or printed name of person signing transmittal)

(Signature of Person signing transmittal)

**AMENDMENT**

Mail Stop **Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated December 31, 2008, which was incomplete. A request for the issuance of a new office action was filed January 6, 2009. It is expected the new office action, when issued, will require an election of species similar to the requirement of the December 31, 2008 office action. To expedite the prosecution of this application and avoid unnecessary delay, this response is filed in anticipation of the requested new office action.

Please amend the claims as set out in the claim listing below.